IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 2686 of 2004

Between:

G.CH.B.Peddanna, S/o.Kanakaiah,
R/o.Vijayawada, Krishna Dist.

..... PETITIONER

AND

1. The Commissioner of Intermediate Education, A.P.Hyderabad.
2. P.R.S.M.National Junior College, Vijayawada rep.by its

Correspondent.
3. Board of Intermediate Education, rep.by its

Secretary,Nampally,Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ or order or direction more particularly one in the nature of writ of Mandamus declaring as illegal, arbitrary and unconstitutional the action of the Respondents 1 and 3 in not approving the appointment of the petitioner as principal with effect from 5-3-1999 made by the 2nd Respondent and issue a consequential direction to the Respondents 1 and 3 to approve the appointment of the petitioner with all consequential benefits such as arrears of salary, increments, seniority, payment of revised scales.

Counsel for the Petitioner:MR.D.V.SITARAMAMURTHY

Counsel for the Respondent Nos. 1 and 3.: GP FOR HIGHER EDUCATION

Counsel for the Respondent No.2: MR.SRIRAM

The Court, at the admission stage, made the following:

O R D E R:

The grievance of the petitioner is that the respondents are not approving his appointment to the post of Principal w.e.f. 05-03-1999 made by second respondent.

According to the petitioner, he was selected as a Principal by a duly constituted Selection Committee on 27-02-1999 and was appointed by the management as such. Before filling up the post, the management had obtained permission and conducted selection as per rules and procedures. However, his appointment was not approved and was not paid salary for which he is entitled to. Hence, the present writ petition.

Though no counter-affidavit has been filed, Mr.S.Sriram, representing the second respondent-college, submitted that on the suggestion made by the first respondent, it had already submitted the proposal to the third respondent and the same is pending with it. It is for the third respondent to consider and pass appropriate orders as to approval of the said post w.e.f. 05-03-1999.

In the above circumstances, without expressing any opinion on merits, the third respondent is directed to consider the proposal sent by the second respondent for the purpose of approval of the post of Principal to which the petitioner is appointed and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

Writ petition is disposed with the above directions. There shall be no order as to costs.

25-11-2004.

Lrkm.

To

1. The Commissioner of Intermediate Education, A.P.Hyderabad.
2. The Secretary, Board of Intermediate Education,

Nampally,Hyderabad.

3. 2 CCs to the Government Pleader for Education, High Court

Buildings, High Court A.P. Hyderabad (O.U.T).

4. 2CD copies.